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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

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6 HEATH VINCENT FULKERSON,

Case No. 3:19-cv-00722-MMD-CLB

7 Plaintiff,

ORDER

8 v.

9 PUBLIC UTILITIES COMMISSION OF  
NEVADA,

10 Defendant.

11  
12 *Pro se* Plaintiff Heath Vincent Fulkerson ("Fulkerson") brings this civil rights action  
13 under 42 U.S.C. § 1983. Before the Court is the Report and Recommendation ("R&R") of  
14 Magistrate Judge Carla L. Baldwin, concerning Fulkerson's application to proceed *in forma*  
15 *pauperis* ("IFP Application") (ECF No. 1) and *pro se* complaint ("Complaint") (ECF No. 1-  
16 1). (ECF No. 3.) Any objection to the R&R was due by April 6, 2020, but none has been  
17 filed. The Court will accept the R&R in full.

18 This Court "may accept, reject, or modify, in whole or in part, the findings or  
19 recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party  
20 fails to object to a magistrate's recommendation, the Court is not required to conduct "any  
21 review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474  
22 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir.  
23 2003) ("De novo review of the magistrate judges' findings and recommendations is  
24 required if, but *only* if, one or both parties file objections to the findings and  
25 recommendations.") (emphasis in original); Fed. R. Civ. P. 72, Advisory Committee Notes  
26 (1983) (providing that the court "need only satisfy itself that there is no clear error on the  
27 face of the record in order to accept the recommendation").

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1 The Court finds it unnecessary to engage in de novo review to determine whether  
2 to adopt Judge Baldwin's R&R and is satisfied that there is no clear error. Here, Judge  
3 Baldwin recommends granting the IFP Application due to Fulkerson's inability to pay the  
4 filing fee and that the Court dismiss this action with prejudice because the allegations in  
5 the Complaint are incomprehensible and deficient of the pleading standard set forth by  
6 Federal Rule of Civil Procedure 8(a)(2). (ECF No. 3 at 2, 3-4.) Further, the allegations are  
7 duplicative of those in another case—Case No. 3:20-cv-0007-RCJ-WGC—that is further  
8 along. (*Id.* at 4.) Having reviewed the Complaint, the Court agrees with Judge Baldwin and  
9 will accept and adopt the R&R in full.

10 It is therefore ordered, adjudged and decreed that the Report and Recommendation  
11 of Magistrate Judge Carla L. Baldwin (ECF No. 3) is accepted and adopted in its entirety.

12 It is further order that the IFP Application (ECF No. 1) is granted.

13 It is further ordered that the Clerk of the Court file the Complaint (ECF No. 1-1).

14 It is further ordered that the Complaint is dismissed with prejudice and without leave  
15 to amend for the reasons stated herein.

16 It is further ordered that the Clerk enter judgment accordingly and close this case.

17 DATED THIS 7<sup>th</sup> day of April 2020.

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20 MIRANDA M. DU  
21 CHIEF UNITED STATES DISTRICT JUDGE  
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